

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

AMERICAN CASUALTY COMPANY OF :
READING, PA, :

Plaintiff, :

v. :

CHOATE CONSTRUCTION COMPANY, :
TC ARROWPOINT, L.P. and :
NATIONAL UNION FIRE INSURANCE :
COMPANY OF PITTSBURGH, PA, :

Defendants. :

CIVIL ACTION FILE
NO. 3:04-CV-203

AMENDED ORDER OF DISMISSAL

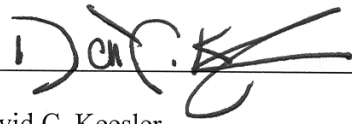
IT APPEARING to the Court that the affected parties have consented hereto, pursuant to Fed. R. Civ. P. 41(a)(ii), it is

HEREBY ORDERED that, to the extent that the Plaintiff's Complaint, as amended, sets forth any claims against Defendant, TC Arrowpoint, L.P., said claims and TC Arrowpoint, L.P., as a party, shall be, and the same hereby are, **DISMISSED WITH PREJUDICE**; it is

FURTHER ORDERED that, to the extent that the Plaintiff's Complaint, as amended, sets forth any claims against Defendants, Choate Construction Company and National Union Fire Insurance Company of Pittsburgh, PA, said claims and this action, Case No. 3:04-CV-203, shall be, and the same hereby are, **DISMISSED WITHOUT PREJUDICE**; it is

FURTHER ORDERED that each party shall bear its own costs and attorneys fees.

Signed: March 28, 2006



David C. Keesler
United States Magistrate Judge

